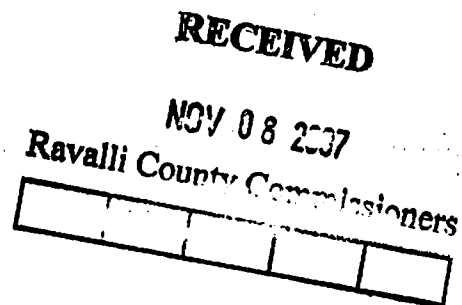


November 3, 2007

Ravalli County Commission
215 South Fourth
Hamilton, MT 59840

Dear Commissioners,

Re: Streamside Setback Regulations



It is hard for me to witness the well-funded, vociferous, deceitful and disrespectful attack on the proposed Streamside Setback Regulations without speaking out. I believe you have been invested with a duty not only to protect the health, welfare and safety of the residents of Ravalli County, but to be good stewards of the resources within your care.

The quality of life in our valley is rapidly being diminished by wealthy individuals who do not have an ethical interest in the values we hold dear. They don't seem to care about the future as they can just move on. And they seem to be obsessed by a profit motive easily had because we are lacking in regulations that protect our water, our rivers, our clean air, our open spaces, our access to public lands and our culture. And I must also state, they don't seem to care about anybody else's property rights except theirs.

And yes, there is an emergency. We do need to pass regulations that protect our river and its tributaries now. There was an emergency in 1991 and nobody could get a handle on it. As a result, we have lost many thousands of acres of open space to subdivision, there is hardly a property still available along the river/tributaries that has not experienced subdivision and the attendant impacts. We all know people who have diminished yards because they built too close to streams. We know of downstream property owners who have suffered greatly from upstream owners who have radically altered their property to live closer to the stream; who have cleared away all the protective riparian vegetation, who have changed stream channels and poured untold gallons of pollutants into the stream (sewage, herbicides/pesticides, barnyard waste and whatever). And this will continue as long as we have no regulations for protecting the streamside.

I know of a property where a new owner wanted to build his home within 100' of the river. It was in the floodplain, but he could have pumped his septic to a piece of higher ground. Luckily he did not build the year he purchased the property. He cleared away some of the riparian vegetation and grazed the property as close as he could to the bank. Result, he lost approximately 30' of his streamside property. We can only guess at the impacts to downstream properties.

I called on a river property for sale this week to see how it was presented. I was told by the realtor, the septic/well were already in. That way the buyer can build as close as he chooses to the river, before any new regulations are in place! I was also told that the septic was about 30' from the river! How many other properties are being presented like that? How many other developers/realtors are rushing to encourage the same sort of action? Yes, I do believe we have an emergency.

I commend you for appointing a committee to study this issue. They have been diligent, fair and logical in their efforts to present you with a good set of regulations. This has been a long process, beginning with efforts by the Board of Realtors. So it is time to act.

Such regulations will protect residences and structures from flooding, stream migration and erosion. And I have witnessed multiple instances of flooding, stream migration and erosion as a result of streamside alterations for homes or a view.

Such regulations will protect downstream residences and land from the adverse actions of upstream owners. I can cite many instances of adverse impacts on downstream landowners from arbitrary actions of those upstream. This has cost thousands of dollars and in many way, affected property values, thus property rights.

Such regulations will protect and preserve healthy riparian corridors, thus protecting water quality. Hopefully they will encourage the native growth of cottonwoods, willows, pines and shrubs whose roots all knit together to hold the soil and protect the banks.

And the other benefit will be to protect and enhance fish populations and wildlife habitat. The importance of healthy streamside riparian habitat for birds is expressed in the following scientific report:

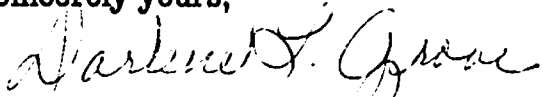
"Numbers of several wetland/streamside habitat birds have shown rather sharp decreases in our state over the past 4 decades. For example, the Great Blue Heron has declined by 81% since 1967, the Belted Kingfisher is down 88%, and the Killdeer, a conspicuous shorebirds inhabiting urban parks and ponds, has declined by 80%."

This decline can be attributed to destruction of riparian habitat from development and thoughtless streamside alterations. Wildlife in all forms is something we all cherish and which has great economic value to the valley.

The benefits of streamside setback regulations are all positive, they are a public benefit or a common good. I challenge you to contrast that with the negative and egocentric values espoused by the opposition.

I believe you have been presented with enough information by a thoughtful, diversified committee and members of the public to make a decision. It now takes courage and common sense, both of which I believe you are capable of to make a good decision for the welfare of the general public. Therefore, I urge you to adopt what has been proposed by the Streamside Setback Committee as soon as possible.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Darlene L. Grove".

Darlene L. Grove, PO Box 77, Stevensville, MT 59870

cc: Streamside Setback Committee

Additional Information:

Two new publications from the National Association of Counties (NACo).

Using GIS Tools to Link Land Use Decisions to Water Resource Protection
County Wetlands Data Guidebook

These can be acquired from www.naco.org/techassistance

There are also two other publications that I highly recommend that stress the importance of streamside protection, and why:

Taking Care of the Bitterroot Watershed - This was given to all County Commissioners or is available from the Bitter Root Water Forum. See pp. 35

A Soil Bioengineering Guide for Streambank and Lakeshore Stabilization - can be obtained from the US Forest Service. This is an excellent guide as it explains the whole complex structure of riparian habitats, growth and interconnectedness.